

Attorney Docket No.: DC-0156
Inventors: DeLeo and Weinstein
Serial No.: 09/857,385
Filing Date: July 6, 2001
Page 2

REMARKS

Claims 1-7 are pending in the instant application. Claims 1-7 have been subjected to a Restriction Requirement as follows:

Group I, claims 1-2, drawn to a method of preventing and reducing pain in an animal; and

Group II, claims 3-7, drawn to a non-human animal model and a method for producing said non-human animal model.

The Examiner suggests that Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features. Specifically, the Examiner suggests that the special technical feature of Group I is a method of preventing or reducing lower back pain in an animal by administering methotrexate while the special technical feature in Group II is an animal model and a method of making an animal model.

Applicants respectfully traverse this Restriction Requirement.

In accordance with MPEP § 1893.03(d), a group of inventions is considered linked to form a single general inventive concept where there is a technical relationship among the inventions that involves at least one common or corresponding technical feature. In the instant application, claims of Group I are drawn to a method of treating lower back pain, in particular lower back pain with

Attorney Docket No.: DC-0156
Inventors: DeLeo and Weinstein
Serial No.: 09/857,385
Filing Date: July 6, 2001
Page 3

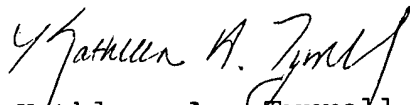
radiculopathy (see claim 2) while Group II provide a model for identifying agents useful in treating this type of back pain. Accordingly, treatment of lower back pain, and in particular radicular back pain, is a common technical feature of these two Groups.

Reconsideration and withdrawal of this Restriction Requirement is therefore respectfully requested.

However, in an earnest effort to be completely responsive, Applicants elect Group I, claims 1-2, with traverse.

Applicants believe this to be a complete response to the Office Action of record.

Respectfully submitted,



Kathleen A. Tyrrell

Registration No. 38,350

Date: August 8, 2002

Licata & Tyrrell P.C.
66 E. Main Street
Marlton, New Jersey 08053

(856) 810-1515